Single Bench (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. No.692/2005

PETITIONERS :

1. **VIJAY KUMAR KHANDEKAR**, S/o Bansilal Khandekar, Aged about – 38 years, R/o. Village- Nathelapara, Post- Office : Daukapa, Tehsil-Lormi, District- Bilaspur (C.G.).

2. **RAMKUMAR KURREY** S/o Padman, Aged about- 34 years, R/o. Village-Chakala, Post Office : Daukapa, Tahsil-Lormi, District- Bilaspur (CG).

689/05 R.E. Tahd Proceeded by Shri... Dated... 21-02-05

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through : The Secretary School Education Department, D.K.S. Bhawan, Raipur (C.G.).

2. State of Madhya Pradesh, Through : The Secretary School Education Department Vallabh Bhawan-Bhopal (M.P.)

3. The Collector, Bilaspur, District-Bilaspur (C.G.).

4. The Chief Executive Officer, Janpad Panchayat, Lormi, District- Bilaspur (C.G.).

5. District Education Officer, Bilaspur, District – Bilaspur (C.G.).

6. Block Education Officer, Lormi, District - Bilaspur (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

The above named petitioners respectfully beg to submit as under:

1. **PARTICULARS OF PETITIONERS**

As detailed above in the cause title.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.692/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14.03.2005

Shri P.K. Patel, counsel for the petitioners.

Shri Sandeep Dubey, Govt. Advocate for the State/respondents No. 1, 3, 5 & 6 on advance copy.

Heard on admission.

At the very outset, learned counsel for the petitioners submits that the Rule governing the case of the petitioners have been framed by the State namely *Shiksha Karmi* (Recruitment and Condition of Services) Rules, 1997. He seeks permission to withdraw this petition with liberty to file an appeal under the aforesaid Rule. However, he submits that the non-selection/non-consideration have been effected in the year 1996 and the appeal against the said action of the authority would be time barred. He prays for making some observation in this regard.

Since the petitioner is praying for withdrawal of the petition with liberty to file an appeal, an opportunity is being granted by this Court and this Court observes that if the petitioners file an appeal within a period of 15 days from today along with an application for

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 692/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

condonation of delay in filing the appeal, the appropriate authority will consider and dispose of the same in accordance with law, particularly after considering the grounds raised regarding non-filing of the appeal by the petitioners in time.

With the aforesaid liberty, the petition stands finally disposed of at this stage.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

Vatti

13.3.08 13.5.08 17/6/08